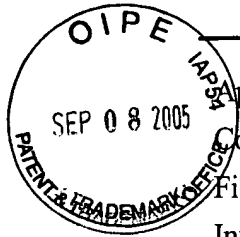


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No.: 09/775,343

Confirmation No.: 7209

~~Filing Date:~~ January 31, 2001

Inventors: McDevitt et al.

Title: PORTABLE SENSOR  
ARRAY SYSTEM

Examiner: Betty J. Forman

Art Unit: 1634

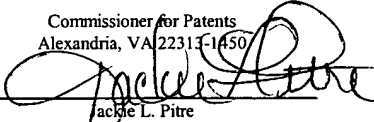
Atty. Dkt. No.: 5936-00529

CERTIFICATE OF MAILING  
UNDER 37 C.F.R. §1.8

DATE OF DEPOSIT: 9/16/05

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Jackie L. Pitre

## TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING REJECTIONS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

1. Applicant is the owner of all rights in the captioned patent application. Applicant certifies that it is the assignee of the entire right, title and interest in the captioned patent application by virtue of an assignment, the assignment recorded with the Patent and Trademark Office at Reel 012175, Frame 0966.
2. Applicant is the owner of all rights in U.S. Patent No. 6,908,770. Applicant certifies that it is the assignee of the entire right, title and interest in U.S. Patent No. 6,908,770 by virtue of an assignment, the assignment recorded with the Patent and Trademark Office at Reel 010140, Frame 0505.
3. As sole owner in the captioned patent application, Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned patent

application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,908,770.

4. Applicant hereby agrees that any patent granted on the captioned patent application shall be enforceable only for and during such period that the patent and U.S. Patent No. 6,908,770 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

5. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,908,770, as presently shortened by any terminal disclaimer, in the event that U.S. Patent No. 6,908,770 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

6. Applicant is the owner of all rights in U.S. Patent Application No. 09/616,731. Applicant certifies that it is the assignee of the entire right, title and interest in U.S. Patent Application No. 09/616,731 by virtue of an assignment, the assignment recorded with the Patent and Trademark Office at Reel 011507, Frame 0001.

7. As sole owner in the captioned patent application, Applicant hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the captioned patent application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of any patent granted on U.S. Patent Application No. 09/616,731.

8. Applicant hereby agrees that any patent granted on the captioned patent application shall be enforceable only for and during such period that the patent and any patent granted on U.S. Patent Application No. 09/616,731 are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

9. In making the above disclaimer, Applicant does not disclaim the terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of a patent granted on U.S. Patent Application No. 09/616,731, as presently shortened by any terminal disclaimer, in the event that the patent granted on U.S. Patent Application No. 09/616,731 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

10. A fee authorization for the required fee is attached.

Respectfully submitted,



Mark R. DeLuca  
Reg. No. 44,649

Patent Agent for Applicants

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